

REMARKS

This response is to the Office Letter mailed in the above-referenced case on June 08, 2006, made final. Claims 11-20 are standing for examination. Claims 11-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kikinis (U.S. 5,727,159) hereinafter Kikinis in view of Banerjee (U.S. 6,292,181) hereinafter Banerjee. Claims 11-20 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,711,611.

In response to the Examiner's rejections, applicant herein presents a terminal disclaimer in compliance with 3 CFR 1.321(c) to overcome the rejection. Applicant also herein amends the base claims to clearly recite that the remote computerized appliance is enabled to access and operate all of the tools and software of the communication center made available to an agent local to the communication center.

The Examiner kindly provided a "Response to Arguments" portion of the current Office Letter stating; "Applicant previously argued in substance that (A) Prior art does not teach a portable unit capable of operating all software available at the communication center. As to point (A), Banerjee teaches using a mobile data processing device (MDPD) as an intelligent interlace to a desktop computer to allow user of the MDPD to access databases or any resource and control execution of any program such as Windows and Windows applications on host computer (Abstract; col. 3 line 33 - col. 4 line 19). 15. Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of

language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.”). Therefore, limitations that are argued by applicant but are not in claimed language are not being considered by Examiner."

Applicant responds by amending the claims to more closely reflect the applicant's previous argument, wherein the computerized appliance is capable of accessing and operating all of the tools and software of the communication center that would otherwise be available to a local agent to the communication center.

Applicant points out that Kikinis provides a proxy server for downloading data from a WEB server. Kikinis teaches that a proxy server connects to an appropriate server and accesses and downloads data. Kikinis specifically teaches the proxy server 19 acts as a proxy for computer 13, performing those functions of Web browsing computer 13 cannot perform. Applicant urges that Kikinis discloses a teaching that is specifically limited to Web browsing.

Applicant argues that Banerjee provides a portable interface which can operate software and access data on a standalone PC. Banerjee is clearly limited to accessing tools and software which are local to the standalone PC. There is no suggestion in the art of Banerjee to provide a portable unit capable of operating all software available at the communication center that would otherwise be available to an agent local to the communication center.

Applicant argues that the ability of the portable device to access and operate databases and functions at the communication center via an agent's workstation is only taught in applicant's specification. Banerjee makes absolutely no suggestion that the PC has access to software and/or data other than what is housed at the PC.

Applicant believes claims 11 and 16 are clearly patentable over the art of Kikinis and Banerjee as amended and argued above. Dependent claims 12-15 and 17-20 are patentable on their own merits or at least depended from a patentable claim.

As all of the claims standing for examination have been shown to be patentable as

amended and argued over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any fees due beyond any fees paid with the present application and amendment, such fees are authorized to be deducted from deposit account 50-0534, and if any time extensions such extensions are petitioned, and fees authorized to be deducted from deposit account 50-0534.

Respectfully submitted,
Musa Hanhan

By *Donald R. Boys*
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755